

**FULL BOARD MEETING MINUTES
BOARD OF REALTY REGULATION
301 S. Park, Helena MT
ZOOM MEETING
10:00 a.m. to 1:23 p.m.
August 4, 2021**

All board meetings will be held by conference call. No outside participants or stakeholders will be allowed access in the building. Please attend by phone.

1. Call to Order - Establish Quorum - Introduction of Board & Staff Members Present (00:00:00:28)

Board Members Present:

Mr. Eric Ossorio
Mr. Dan Wagner
Mr. Kevin Wetherell
Mr. Josh Peck
Ms. Julie Gardner
Ms. Sharon Virgin

Board Members Absent:

Ms. Lindsey Hromadka
Mr. Josh Peck

Staff Members Present:

Mr. Dan Ritter, Executive Officer
Ms. Jennifer Stallkamp, Counsel
Mr. Jeff Sealey, Counsel
Mr. Todd Younkin, Division Administrator
Ms. Barb McAlmond, Administrative Specialist

Others Present:

Mr. Darrel Zbar
Ms. Debra Parkinson
Ms. Dallas Bedford
Mr. Zane Sullivan
Mr. Patrick Lupton
Mr. Jaymie Bowditch
Mr. Matthew Menge
Mr. Sam Sill

2. Election of Presiding Officer/Chair (00:01:39)

Motion: (00:02:44) Mr. Kevin Wetherell moved to appoint Mr. Dan Wagner as presiding officer/chair. The motion carried.

3. Approval and Tentative Modification of Agenda Order (00:03:46)

Motion: (00:04:05) Mr. Josh Peck moved to approve the agenda as presented. The motion carried.

4. Review Minutes- April 29, 2021- Full Board (00:04:29)

5. Public Opportunity to Comment (00:05:02)

(Presiding Officer Statement) "Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda. The presiding officer may limit the comment period in order to proceed with the board meeting."

6. Department Update – Todd Younkin (00:06:27)

7. Board Action (00:13:31)

a. Non-routine Applications (00:13:40)

i. Debra Parkinson – Broker (00:15:00)

Motion: (00:25:20) Mr. Kevin Wetherell moved to deny Ms. Debra Parkinson's application because she does not fulfill the 30-point requirement in the last 36 months. The motion carried.

ii. Darrel Zbar – Broker (00:25:55)

Motion: (00:33:44) Mr. Kevin Wetherell moved to deny Mr. Darell Zbar's application because he does not fulfil the 30-point requirement in the last 36 months. The motion carried.

iii. Matthew Menge – Broker (00:34:52)

Motion: (00:48:30) Mr. Eric Ossorio moved to deny Mr. Matthew Menge's application. The motion failed.

Motion: (00:52:11) Mr. Eric Ossorio moved to approve Mr. Menge for a 1 year probationary license based on new rule 24.210.420 Applicants with Criminal Convictions, the board incorporates 24.202.406 (2)(c) with quarterly check ins. The motion carried.

iv. Dallas Bedford –Salesperson (00:54:17)

Motion: (01:00:14) Mr. Eric Ossorio moved to approve Dallas Bedford for licensure. Mr. Dan Wagner and Ms. Sharon Virgin opposed the motion. The motion carried.

v. Patrick Lupton – Salesperson (01:02:03)

Motion: (01:16:45) Mr. Kevin Wetherell moved to approve Mr. Lupton for licensure. The motion carried.

vi. Casey Holland – Salesperson (01:18:13)

Motion: (01:21:48) Ms. Julie Gardner moved to approve Mr. Casey Holland for a 1 year probationary license based on new rule 24.210.420 Applicants with Criminal Convictions, the board incorporates 24.202.406 (2)(c) with quarterly reports from his supervising broker and probation officer. The motion carried.

b. Disciplinary Matrix – Jeff Sealey/Jennifer Stallkamp (01:23:37)

c. Request from Rocky Mountain REALTORS® Association for reimbursement from Supervising Broker CE Course (01:48:23)

Motion: (01:51:22) Ms. Julie Gardner moved to reimburse Rocky Mountain REALTORS® Association \$1,700 for the loss on the September 25, 2020 Supervising Broker continuing education class. The motion carried.

8. Board Discussion (01:52:50)

a. Addendum deadline prior to board meeting – Ric Smith (01:52:57)

b. Right of First Refusal conflict with 24.210.641(1)(r) - Eric Ossorio (02:00:56)

c. Rules clean up/changes (02:07:13)

i. 24.210.601(14) & (15) General License Administration Requirements-supervising broker (02:08:01)

ii. 24.210.604 Supervising Broker Endorsement (02:09:37)

iii. 24.210.610 Predetermination for Licensing (02:10:26)

iv. 24.210.611((8)(a) (02:11:28)

v. 24.210.611(9)(d) (02:11:50)

vi. 24.210.807 Property Management License Transfer Requirements (02:12:12)

vii. 24.210.828(3)(f) Unprofessional Conduct Property Manager Licensees (02:12:43)

Discussion: (02:24:00)

Move forward with this rule package.

9. Schedule Next Board Meeting (02:27:37)

November 9, 2021-Screening Panel

November 10, 2021-Adjudication Panel and Full Board Meeting

January 25, 2022-Screening Panel

January 26, 2022-Adjudication Panel and Full Board Meeting

April 26, 2022-Screening Panel

April 27, 2022-Adjudication Panel and Full Board Meeting

10. Committee Reports (02:32:43)

- a. Screening Panel Report
- b. Adjudication Panel Report

11. Executive Officer Report (02:33:27:)

- c. Financials **(02:33:34)**
- d. License Numbers **(02:35:55)**
- e. Newsletter **(02:42:08)**

12. Legal Report (02:48:41)

13. Adjourn (02:49:27) Mr. Dan Wagner adjourned at 1:23 p.m.

NOTICE

The Department of Labor & Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the Board office prior to the proposed meeting date for further information.

New agenda items may be added or removed up to "three business days" before the meeting. For the most accurate agenda, please consult the website at www.realestate.mt.gov. The board may reorder the agenda at the beginning of the meeting.